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8 **UNITED STATES DISTRICT COURT**

9 **Northern District of California**

10 Valent U.S.A. Corporation, 08-00720 VRW  
11 Plaintiff(s), **NOTICE RE: NONCOMPLIANCE**  
12 v. **WITH COURT ORDER**  
13 Syngenta Crop Protection, Inc.,  
14 Defendant(s).

15  
16 The parties have failed to file an ADR Certification and either a Stipulation and  
17 [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone  
18 Conference as required by the Initial Case Management Scheduling Order. Counsel  
19 shall Meet and Confer forthwith in an attempt to agree on an ADR process for this  
20 matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file  
21 an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting**  
22 **ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b),  
23 ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available  
24 at [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov).)

25  
26 Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a  
27 copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax  
28 (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

1 450 Golden Gate Avenue, 16<sup>th</sup> Floor, San Francisco, California), or by PDF attachment  
2 to an e-mail directed to [adr@cand.uscourts.gov](mailto:adr@cand.uscourts.gov).

3  
4 It is the responsibility of counsel to schedule an ADR Phone Conference, if  
5 required, to occur before the Case Management Conference.  
6  
7

8 Dated: September 4, 2008

9 RICHARD W. WIEKING  
10 Clerk  
by: Lisa M. Salvetti



11 \_\_\_\_\_  
12 ADR Administrative Assistant  
13 415-522-2032  
14 lisa\_salvetti@cand.uscourts.gov  
15  
16  
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**PROOF OF SERVICE**

Case Name: Valent U.S.A. Corporation v. Syngenta Crop Protection, Inc.

Case Number: 08-00720 VRW

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program  
United States District Court  
Northern District of California  
450 Golden Gate Avenue Floor 16  
San Francisco, CA 94102

On September 4, 2008, I served a true and correct copy of:

**Notice Re: Noncompliance With Court Order**

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Amit Arun Kurlekar  
Akin Gump Strauss Hauer & Feld LLP  
580 California St.  
Suite 1500  
San Francisco, CA 94104  
akurlekar@akingump.com

Reginald David Steer  
Akin Gump Strauss Hauer & Feld LLP  
580 California Street  
15th Floor  
San Francisco, CA 94104  
rsteer@akingump.com

Michael A Oakes  
Akin Gump Strauss Hauer & Feld LLP  
1333 New Hampshire Avenue NW  
Washington, DC 20036

William W. Schwarze  
Panitch Schwarze Belisario & Nadel LLP

2005 Market Street  
Suite 2200  
Philadelphia, PA 19103-7013

Arthur Wineburg  
Akin Gump Strauss Hauer & Feld LLP  
1133 New Hampshire Avenue, NW  
Washington, DC 20036-4305

Jason A Snyderman  
Akin Gump Strauss Hauer & Feld LLP  
One Commerce Square  
2005 Market Street  
Suite 2200  
Philadelphia, PA 19103-7013

Weihong Hsing  
Panitch Schwarze Belisario & Nadel LLP  
2005 Market Street  
Suite 2200  
Philadelphia, PA 19103-7013

Daniel E Yonan  
Akin Gump Strauss Hauer & Feld LLP  
1333 New Hampshire Avenue NW  
Washington, DC 20036

Jeffrey K Sherwood  
Dickstein Shapiro  
1825 Eye Street, NW  
Washington, DC 20006  
sherwoodj@ dicksteinshapiro.com

Bradley J. Olson  
Dickstein Shapiro LLP  
1825 Eye Street, N.W.  
Washington, DC 20006  
olsonb@ dicksteinshapiro.com

Kimberly Rae Parke  
Dickstein Shapiro  
1825 Eye Street, NW  
Washington, DC 20006  
parkek@ dicksteinshapiro.com

Elizabeth Hannah Rader  
Alston + Bird  
3000 El Camino Real  
Suite 400  
Palo Alto, CA 94306  
elizabeth.rader@alston.com

Salvatore P. Tamburo  
Dickstein Shapiro LLP  
1825 Eye St. NW  
Washington, DC 20006  
tamburos@dicksteinshapiro.com

Erik Raymond Puknys  
Finnegan, Henderson, Farabow, Garrett &  
3300 Hillview Avenue  
Palo Alto, CA 94304  
erik.puknys@finnegan.com

Barbara Clarke McCurdy  
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.  
901 New York Avenue NW  
Washington, DC 20001-4413  
barbara.mccurdy@finnegan.com

Michael John Flibbert  
Finnegan Henderson Farabow Garrett & Dunner, LLP  
901 New York Avenue  
Washington, DC 20001  
michael.flibbert@finnegan.com

Michael J Leib  
Finnegan Henderson Farabow Garrett & Dunner LLP  
901 New York Avenue NW  
Washington, DC 20001-4413

Jennifer Amy Johnson  
Finnegan Henderson Farabow Garrett & Dunner  
901 New York Ave., NW  
Washington, DC 20001  
jennifer.johnson@finnegan.com

[ ] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[ ] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on September 4, 2008 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Lisa M. Salvetti



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ADR Administrative Assistant

415-522-2032

lisa\_salvetti@cand.uscourts.gov